| 1 2 | of the State of California ALFREDO TERRAZAS Senior Assistant Attorney General                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                          |  |  |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|--|--|
|     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                          |  |  |
| 3   | ARTHUR D. TAGGART, State Bar No. 83047 Supervising Deputy Attorney General                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                          |  |  |
| 4   | California Department of Justice<br>1300 I Street, Suite 125                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                          |  |  |
| 5   | P.O. Box 944255<br>Sacramento, CA 94244-2550                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                          |  |  |
| 6   | Telephone: (916) 324-5339  Facsimile: (916) 327-8643                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                          |  |  |
| 7   | Attorneys for Complainant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                          |  |  |
| 8   | recorded for complainment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                          |  |  |
| 9   | BEFORE THE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                          |  |  |
| 10  | BOARD OF REGISTERED NURSING DEPARTMENT OF CONSUMER AFFAIRS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                          |  |  |
| 11  | STATE OF CAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | IFURNIA                                  |  |  |
| 12  | In the Matter of the Accusation Against:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Case No. 2007-262                        |  |  |
| 13  | TAMMY K. LAMBERT,<br>a.k.a. TAMMY LAMBERT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | DEFAULT DECISION                         |  |  |
| 14  | 11792 S. Cienega Crossing Place                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                          |  |  |
| 15  | Vail, AZ 85641                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | [Gov. Code §11520]                       |  |  |
| 16  | Registered Nurse License No. 611875                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                          |  |  |
| 17  | Respondent.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                          |  |  |
| 18  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                          |  |  |
| 19  | <u>FINDINGS OI</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | FFACT                                    |  |  |
|     | 1. On or about April 10, 2007, C                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | omplainant Ruth Ann Terry, M.P.H., R.N., |  |  |
| 20  | in her official capacity as the Executive Officer of the Board of Registered Nursing, Department                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                          |  |  |
| 21  | of Consumer Affairs, filed Accusation No. 2007-262 against Tammy K. Lambert, also known as                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                          |  |  |
| 22  | Tammy Lambert ("Respondent"), before the Board of Registered Nursing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                          |  |  |
| 23  | 2. On or about January 16, 2003, the Board of Registered Nursing ("Board")                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                          |  |  |
| 24  | issued Registered Nurse License Number 611875 to Respondent. Respondent's registered nurse                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                          |  |  |
| 25  | license will expire on March 31, 2008, unless renewed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                          |  |  |
| 26  | 3. On or about April 18, 2007, Carol Sekara, an employee of the Office of the                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                          |  |  |
| 27  | Attorney General, served by Certified and First Class                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                          |  |  |
| 28  | The state of the s | s main a copy of the Accusation No.      |  |  |

- 4. Service of the Accusation was effective as a matter of law under the provisions of Government Code section 11505, subdivision (c).
  - 5. Business and Professions Code section 118 states, in pertinent part:
  - (b) The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the license on any such ground.
    - 6. Government Code section 11506 states, in pertinent part:
  - (c) The respondent shall be entitled to a hearing on the merits if the respondent files a notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing.
- 7. Respondent failed to file a Notice of Defense within 15 days after service upon her of the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 2007-262.
  - 8. California Government Code section 11520 states, in pertinent part:
  - (a) If the respondent either fails to file a notice of defense or to appear at the hearing, the agency may take action based upon the respondent's express admissions or upon other evidence and affidavits may be used as evidence without any notice to respondent.
- 9. Pursuant to its authority under Government Code section 11520, the Board finds Respondent is in Hefault. The Board will take action without further hearing and, based on Respondent's express admissions by way of default and the evidence before it, contained in exhibit A, finds that the allegations in Accusation No. 2007-262 are true.

| 1  | 10. The total costs for investigation and enforcement are \$670.75 as of July               |  |  |
|----|---------------------------------------------------------------------------------------------|--|--|
| 2  | 17, 2007.                                                                                   |  |  |
| 3  | <u>DETERMINATION OF ISSUES</u>                                                              |  |  |
| 4  | 1. Based on the foregoing findings of fact, Respondent Tammy K. Lambert                     |  |  |
| 5  | also known as Tammy Lambert, has subjected her Registered Nurse License Number 611875       |  |  |
| 6  | discipline.                                                                                 |  |  |
| 7  | 2. A copy of the Accusation and the related documents are attached.                         |  |  |
| 8  | 3. The agency has jurisdiction to adjudicate this case by default.                          |  |  |
| 9  | 4. The Board of Registered Nursing is authorized to revoke Respondent's                     |  |  |
| 10 | Registered Nurse License based upon the following violation alleged in the Accusation:      |  |  |
| 11 | Business and Professions Code section 2761, subdivision (a)(4) (disciplinary actions by the |  |  |
| 12 | Arizona State Board of Nursing, Tennessee Board of Nursing, and Mississippi Board of        |  |  |
| 13 | Nursing).                                                                                   |  |  |
| 14 |                                                                                             |  |  |
| 15 |                                                                                             |  |  |
| 16 |                                                                                             |  |  |
| 17 |                                                                                             |  |  |
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| 19 |                                                                                             |  |  |
| 20 |                                                                                             |  |  |
| 21 |                                                                                             |  |  |
| 22 |                                                                                             |  |  |
| 23 |                                                                                             |  |  |
| 24 | ·                                                                                           |  |  |
| 25 | Attachments:                                                                                |  |  |
| 26 | Exhibit A: Accusation No. 2007-262 and Related Documents                                    |  |  |
| 27 | DOJ docket number: 03579110-SA2006102809                                                    |  |  |
| 28 | Lambert, Tammy.def.wpd                                                                      |  |  |

| 1 2 | EDMUND G. BROWN JR., Attorney General of the State of California ALFREDO TERRAZAS Senior Assistant Attorney General JANICE K. LACHMAN, State Bar No. 186131 Supervising Deputy Attorney General California Department of Justice 1300 I Street, Suite 125 P.O. Box 944255 Sacramento, CA 94244-2550 |                                         |  |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|--|
| 3   |                                                                                                                                                                                                                                                                                                     |                                         |  |
| 4   |                                                                                                                                                                                                                                                                                                     |                                         |  |
| 5   |                                                                                                                                                                                                                                                                                                     |                                         |  |
| 6   | Telephone: (916) 445-7384 Facsimile: (916) 327-8643                                                                                                                                                                                                                                                 |                                         |  |
| 7   | Attorneys for Complainant                                                                                                                                                                                                                                                                           |                                         |  |
| 8   |                                                                                                                                                                                                                                                                                                     |                                         |  |
| 9   | BEFORE THE BOARD OF REGISTERED NURSING                                                                                                                                                                                                                                                              |                                         |  |
| 10  | DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA                                                                                                                                                                                                                                                  |                                         |  |
| 11  |                                                                                                                                                                                                                                                                                                     |                                         |  |
| 12  | In the Matter of the Accusation Against:                                                                                                                                                                                                                                                            | Case No. 2007-262                       |  |
| 13  | TAMMY K. LAMBERT,<br>a.k.a. TAMMY LAMBERT                                                                                                                                                                                                                                                           | ORDER ON DEFAULT DECISION               |  |
| 14  | 11792 S. Cienega Crossing Place Vail, AZ 85641                                                                                                                                                                                                                                                      | [Gov. Code §11520]                      |  |
| 15  | Registered Nurse License No. 611875                                                                                                                                                                                                                                                                 | •                                       |  |
| 16  | Respondent.                                                                                                                                                                                                                                                                                         |                                         |  |
| 17  |                                                                                                                                                                                                                                                                                                     |                                         |  |
| 18  | IT IS SO ORDERED that Registered                                                                                                                                                                                                                                                                    | Nurse License Number 611875, heretofore |  |
| 19  | issued to Respondent Tammy K. Lambert, also know                                                                                                                                                                                                                                                    | vn as Tammy Lambert, is revoked.        |  |
| 20  | Pursuant to Government Code section 11520, subdivision (c), Respondent may                                                                                                                                                                                                                          |                                         |  |
| 21  |                                                                                                                                                                                                                                                                                                     |                                         |  |
| 22  | serve a written motion requesting that the Decision be vacated and stating the grounds relied on                                                                                                                                                                                                    |                                         |  |
| 23  | within seven (7) days after service of the Decision on Respondent. The agency in its discretion                                                                                                                                                                                                     |                                         |  |
| 24  |                                                                                                                                                                                                                                                                                                     |                                         |  |
| 25  |                                                                                                                                                                                                                                                                                                     |                                         |  |
| 26  |                                                                                                                                                                                                                                                                                                     |                                         |  |
| 27  | ///<br>///                                                                                                                                                                                                                                                                                          |                                         |  |
| 28  |                                                                                                                                                                                                                                                                                                     |                                         |  |

may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute. This Decision shall become effective on October 29, 2007 It is so ORDERED September 28,2007. DEPARTMENT OF CONSUMER AFFAIRS 

| 1    | EDMUND G. BROWN JR., Attorney General of the State of California                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
|------|-------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 2    | ALFREDO TERRAZAS Senior Assistant Attorney General                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 3    | ARTHUR D. TAGGART, State Bar No. 83047 Supervising Deputy Attorney General                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 4    | California Department of Justice 1300 I Street, Suite 125                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 5    | P.O. Box 944255                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 6    | Sacramento, CA 94244-2550<br>Telephone: (916) 324-5339                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 7    | Facsimile: (916) 327-8643                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 8    | Attorneys for Complainant                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 9    | BEFORE 1                                                                                        | ГНЕ                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |
| 10   | BOARD OF REGISTERED NURSING                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 11   | STATE OF CAL                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 12   | In the Matter of the Accusation Against:                                                        | Case No. 2007 - 2002                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |
| 13   | TAMMY K. LAMBERT,                                                                               | Case No. 2007-262                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
|      | a.k.a. TAMMY LAMBERT                                                                            | ACCUSATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |
| 14   | 11792 S. Cienega Crossing Place<br>Vail, AZ 85641                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 15   | Registered Nurse License No. 611875                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 16   | Respondent.                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 17   |                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 18   | Complainant alleges:                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 19   | •                                                                                               | · o                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |
| 20   | PARTIE                                                                                          | _                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
| 21   |                                                                                                 | ("Complainant") brings this Accusation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
| 22   | solely in her official capacity as the Executive Officer of the Board of Registered Nursing     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 23   | ("Board"), Department of Consumer Affairs.                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 24   | 2. On or about January 16, 2003,                                                                | the Board issued Registered Nurse License                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |
| 25   | Number 611875 to Tammy K. Lambert, also known as Tammy Lambert ("Respondent").                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 26   | Respondent's registered nurse license was in full force and effect at all times relevant to the |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 27   | charges brought herein and will expire on March 31,                                             | 2008, unless renewed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| 28   | <i>III</i>                                                                                      | ig the state of th |  |
| ~~ ∥ |                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |

# **STATUTORY PROVISIONS**

- 3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.
- 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.
- 5. Code section 2761, subdivision (a)(4), states that the Board may take disciplinary action against a certified or licensed nurse for unprofessional conduct, which includes, but is not limited to, denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

# **COST RECOVERY**

6. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

#### **CAUSE FOR DISCIPLINE**

# (Out-of-State Disciplinary Actions)

7. Respondent is subject to disciplinary action pursuant to Code section 2761, subdivision (a)(4), on the grounds of unprofessional conduct, in that she was disciplined by the Arizona State Board of Nursing ("Arizona Board"), the Tennessee Board of Nursing ("Tennessee Board"), and the Mississippi Board of Nursing ("Mississippi Board") as follows:

#### Arizona Board

a. On or about July 22, 2004, pursuant to the Order to Revoke/Multistate

Licensure Privilege in Arizona and Cease and Desist Order No. 0402116 ("Order to Revoke")

issued by the Arizona Board, in the disciplinary proceeding titled In the Matter of the Privilege to

Practice Nursing Under the Nurse Licensure Compact in the State of Arizona Issued to: Tammy

Lambert Respondent Nurse License No.: 87984 State of: Tennessee, the Arizona Board revoked

Respondent's privilege to practice nursing in the State of Arizona under the state's Nurse

Licensure Compact. A true and correct copy of the Order to Revoke is attached as exhibit "A"

and incorporated herein by reference.

#### Tennessee Board

b. On or about June 23, 2005, pursuant to Order No. 17.19-071367A issued by the Tennessee Board, in the disciplinary proceeding titled *In the Matter of: Tammy K. Lambert, RN Memphis, TN License No.* 87984, the Tennessee Board revoked License No. 87984 issued to Respondent, assessed her a \$500 civil penalty, and ordered her to pay the costs of the action in an amount to be determined. A true and correct copy of Order No. 17.19-071367A is attached as exhibit "B" and incorporated herein by reference.

# Mississippi Board

c. On or about January 5, 2006, pursuant to the Final Order issued by the Mississippi Board, in the disciplinary proceeding titled In the Matter of Mississippi License No. R-864850 and Privilege to Practice Under the Nurse Licensure Compact in the State of Mississippi, Tennessee License No. 87984 Issued to: Tammy Lambert, etc., the Mississippi Board revoked License No. R-864850 issued to Respondent. A true and correct copy of the Final Order is attached at exhibit "C" and incorporated herein by reference.

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# **PRAYER**

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 1. Revoking or suspending Registered Nurse License Number 611875, issued to Tammy K. Lambert, also known as Tammy Lambert;
- 2. Ordering Tammy K. Lambert, also known as Tammy Lambert, to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and
  - 3. Taking such other and further action as deemed necessary.

DATED: YHOLOT

**Executive Officer** 

Board of Registered Nursing Department of Consumer Affairs

State of California

Complainant

03579110-SA2006102809 Lambert, Tammy.acc.wpd clp; 3/21/07

EXHIBIT A

Order to Revoke

# BEFORE THE ARIZONA STATE BOARD OF NURSING

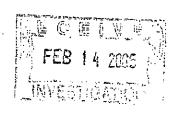
| IN THE MATTER OF THE PRIVLEGE TO       | ) ORDER TO REVOKE                 |
|----------------------------------------|-----------------------------------|
| PRACTICE NURSING UNDER THE NURSE       | )                                 |
| LICENSURE COMPACT IN THE STATE OF      | )                                 |
| ARIZONA                                | <b>)</b> .                        |
| ISSUED TO:                             | ) MULTISTATE LICENSURE            |
| TAMMY LAMBERT                          | ) PRIVILEGE IN ARIZONA            |
| RESPONDENT                             |                                   |
| NURSE LICENSE NO.: 87984               | ,                                 |
| STATE OF: TENNESSEE                    | ) 0402116                         |
| RESPONDENT<br>NURSE LICENSE NO.: 87984 | ) AND ) CEASE AND DESIST ORDER NO |

On July 22, 2004, the Arizona State Board of Nursing ("Board") and ("Remote State") considered the multistate licensure privilege of Tammy Lambert ("Privilege Holder") and ("Respondent").

Based on the evidence before it, the Board makes the following Findings of Fact and Conclusions of Law:

# **FINDINGS OF FACT**

- Respondent holds professional licensure, with multistate licensure privileges ("Privilege") under the Nurse Licensure Compact ("Compact"), issued by Tennessee, a Compact State.
- 2. From on or about June 24, 2003 to on or about January 22, 2004, Respondent was employed as a professional nurse (traveler) by RN Network. On or about December 15, 2003, Respondent entered into a travel contract with University Medical Center in Tucson, Arizona. On or about January 22, 2004, Respondent's contract was cancelled due to excessive absenteeism, and her employment with RN Network was terminated.
- 3. On or about November 26, 2003, in incident no. 031126265, the Pima County Sheriff's Office (Arizona) responded to a call in which it was reported that Respondent



was possibly drunk and aggressive. On or about February 7, 2004, in incident no 040207204, officers responded to an overdose call at Respondent's apartment. On or about February 8, 2004, in incident no 040208213, officers conducted a welfare check on Respondent, because she had allegedly threatened suicide.

- 4. On or about November 14, 2003, in Tucson Police Department report no. 0311140435, Respondent reported she had been drinking heavily so did not recall the details of an alleged sexual assault by a cab driver. The cab driver reported Respondent had asked to be taken somewhere so she could "score some drugs." On or about February 25, 2004, in report no. 040220825, Respondent kicked a nurse at Tucson Medical Center while being evaluated for an involuntary mental health petition.
- 5. According to records obtained by the Board, Respondent has had multiple encounters with health care providers at El Dorado Hospital, Tucson Medical Center, and Palo Verde Hospital in Tucson, Arizona, for issues relating to alcohol and drug abuse.
- 6. On or about March 22, 2004, Respondent was notified by First Class Mail of the Board's investigation, and requested to complete and return a questionnaire about the allegations. Respondent failed to provide the requested information in writing to the Board.
- 7. On July 22, 2004, the Board voted and ordered Respondent's privilege to practice nursing in Arizona under the Compact rules and statutes **revoked**. The Board further ordered Respondent to cease and desist the practice of nursing in Arizona.

# **CONCLUSIONS OF LAW**

Based on the above Findings of Fact, the Board has cause to revoke Respondent's privilege under the Nurse Licensure Compact to practice nursing in the State of Arizona, under

EXHIBIT B

Order No. 17.19-071367A

# STATE OF TENNESSEE DEPARTMENT OF HEALTH

| IN THE WATTER OF:                | > | BEFORE THE BOARD OF NURSING |
|----------------------------------|---|-----------------------------|
| TAMMY K. LAMBERT, RN             | ) |                             |
| Memphis, TN<br>License No. 87984 | } | DOCKET NO. 17.19-071367A    |
| RESPONDENT                       | ) |                             |

#### ORDER

This matter came to be heard before the Tennessee Board of Nursing on the 2<sup>nd</sup> day of June, 2005, pursuant to a Notice of Charges and Memorandum of Assessment of Civil Penalty filed against the Respondent. Presiding at the hearing was the Honorable Cara Harr, Administrative Law Judge, assigned by the Secretary of State. The State was represented by Wilma T. James, Deputy General Counsel. The Respondent was not present and not represented by counsel. Counsel for the State made a motion pursuant to T.C.A. § 4-5-309 to find the Respondent in default. In support of its motion, the State introduced evidence that a Notice of Charges had been served upon the Respondent at her address of record on file with the Division, via the United States Postal Service certified mail, return receipt requested, however the Respondent failed to appear. Having considered the entire record in this matter, the Administrative Law Judge advised the Board that the service on the Respondent was legally sufficient. By majority vote, the Board GRANTED the State's motion finding the Respondent in DEFAULT and to conduct the proceeding without the participation of the Respondent. After consideration of the Notice of Charges, testimony of witnesses, argument of counsel, and the record as a whole, the Board finds a follows:

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#### FINDINGS OF FACT

- Respondent was at all times pertinent hereto licensed by the Tennessee Board of Nursing as
  a registered nurse in the State of Tennessee, having been granted license number 87984 by
  the Board.
- 2. Respondent's license bears a multistate privilege to practice nursing in states which have entered into the Interstate Nurse Licensure Compact.
- On July 22, 2004, Respondent was Ordered to cease and desist the practice of nursing in the state of Arizona, and her privilege to practice nursing in the state of Arizona under the Interstate Nurse Licensure Compact was revoked.

# CONCLUSIONS OF LAW

The Board, having jurisdiction over this matter finds the facts in this Order are sufficient to establish that the Respondent has violated the provisions of T.C.A. § 63-7-101 et. seq., T.C.A. § 63-1-134 and TENN. COMP. R. & REGS. Rule 1000-1-.13 including, but not limited to, the following provisions:

- 4. T.C.A. § 63-7-115(a)(1) states that: The board has the power to deny, revoke or suspend any certificate or license to practice nursing or to otherwise discipline a licensee upon proof that the person:
  - (F) Is guilty of unprofessional conduct. [This violation is established by findings of fact number 3.]

- 5. TENN. COMP. R. & REGS. Rule 1000-1-.13(1). Unprofessional conduct, unfitness, or incompetency by reason of negligence, habits, or other causes, as those terms are used in the statute, is defined as, but not limited to, the following:
  - (j) Revocation, suspension, probation or other discipline of a license to practice nursing by another state or territory of the United States for any act or omission which would constitute grounds for the revocation, suspension, probation or other discipline of a license in this state.

# REASONS FOR THE DECISION

It is the policy of the Board to protect the health, safety, and welfare of the citizens of the State of Tennessee. The Respondent has been found guilty of the facts as stated and the disciplinary action is appropriate.

## THEREFORE, it is ORDERED as follows:

- 6. The license of Respondent to practice nursing in Tennessee pursuant to the authority vested in the Board under Tenn. Code Ann. §§ 63-7-115 and 116 shall be and is hereby REVOKED effective upon the date of entry of this Order with the Administrative Procedures Division.
- 7. Respondent is hereby assessed one (1) Type C Civil Penalty in the amount of Five Hundred Dollars (\$500.00), for a total assessment of Five Hundred Dollars (\$500.00) for one (1) violation of the Nurse Practice Act upon the following:
  - a. Whether the amount imposed will be a substantial economic deterrent to the violator;

- b. The circumstances leading to the violation;
- c. The severity of the violation and the risk of harm to the public;
- The economic benefits gained by the violator as a result of the noncompliance;
   and
- e. The interest of the public.
- 8. Respondent is ordered to pay the costs of this action pursuant to T.C.A. §§ 63-7-115(d) and 63-1-144, and TENN. COMP. R. & REGS. Rule 1000-1-.04(12). These costs will be established by an Affidavit of Costs prepared and filed by Counsel for the Department. To the extent allowed by law, execution may issue for payment of these costs for all or any portion thereof that remain unpaid one year after the effective date of this Order.

#### NOTICE

- Civil penalties are hereby assessed pursuant to Rule 1000-1-.04(5)(a) and T.C.A. § 63-1 134(c), which states in particular:
  - Civil penalties assessed pursuant to this section shall become final thirty (30) days
     after the date a final order of assessment is served.
  - (2) If the violator fails to pay an assessment when it becomes final, the division may apply to the appropriate court for a judgment and seek execution of such judgment.
- 10. Costs shall be paid by means of a <u>certified check. cashier's check. or money order</u> payable to the State of Tennessee which shall be mailed or delivered to: **Disciplinary Coordinator**,

The Division of Health Related Boards, Tennessee Department of Health, 3<sup>rd</sup> Floor, Cordell Hull Building, 425 5<sup>th</sup> Avenue North, Nashville, Tennessee 37247. A notation shall be placed on said check that it is payable for the costs of Tammy K. Lambert, RN, Case 17.19-071367A.

- 11. All civil penalty payments shall be paid in certified funds only to the Disciplinary Coordinator, The Division of Health Related Boards, Tennessee Department of Health, 3<sup>rd</sup> Floor, Cordell Hull Building, 425 5<sup>th</sup> Avenue North, Nashville, Tennessee, 37247.
- 12. This REVOCATION is a formal disciplinary action and will be reported to the Health
  Integrity and Protection Data Bank (HIPDB).
- 13. A violation of this Order shall constitute a separate violation of the Nurse Practice Act,

  T.C.A. § 63-7-115(a)(I)(G), and is grounds for further disciplinary action by the Board.

SO ORDERED this 17-4 day of June, 2005, by the Tennessee Board of Nursing.

Chairperson/Acting Chairperson
Tennessee Board of Nursing

RECONSIDERATION, ADMINISTRATIVE RELIEF AND JUDICIAL REVIEW

Within fifteen (15) days after the entry of an initial or final order, a party may file a petition

to the Board for reconsideration of the Final Order. If no action is taken within twenty (20) days of filing of the petition with the Board, it is deemed denied. T.C.A. § 4-5-317.

In addition, a party may petition the Board for a stay of the Final Order within seven (7) days after the effective date of the Final Order. T.C.A. § 4-5-316.

Finally, a party may seek judicial review by filing a petition for review in the Chancery Court of Davidson County within sixty (60) days after the effective date of the Final Order. A petition for reconsideration does not act to extend the sixty (60) day period; however, if the petition is granted, then the sixty (60) day period is tolled and a new sixty (60) day period commences from the effective date of the Final Order disposing of the petition. T.C.A. § 4-5=322.

PREPARED FOR ENTRY:

Wilma T. James (BPR# 022136)

Deputy General Counsel
Department of Health

312 8th Avenue North

26th Floor, Tennessee Tower

Nashville, Tennessee 37243

(615) 741-1611

#### CERTIFICATE OF FILING

This Order was received for filing in the Office of the Secretary of State, Administrative Procedures Division, and became effective on the day of June, 2005.

Charles C. Sullivan, II, Director
Administrative Procedures Division

#### CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document as yet unsigned has been served upon the Respondent, Tammy K. Lambert, 3422 East Graham St., Memphis, TN 38108, by placing same in the United States mail, 1st class, with sufficient postage thereon to reach its destination, on the \_\_1\_\_ day of June, 2005 and a true and correct copy of this document as entered has been served upon the Respondent, Tammy K. Lambert, 3422 East Graham St., Memphis, TN 38108, by placing same in the United States mail, certified, return receipt requested, with sufficient postage thereon to reach its destination.

This \_\_\_\_\_\_ day of June, 2005.

Wilma T. James

Deputy General Counsel

]

EXHIBIT C

Final Order

# STATE OF MISSISSIPPI BOARD OF NURSING

IN THE MATTER OF MISSISSIPPI LICENSE NO. R-864850 AND PRIVILEGE TO PRACTICE UNDER THE NURSE LICENSURE COMPACT IN THE STATE OF MISSISSIPPI, TENNESSEE LICENSE NO. 87984 ISSUED TO:

REVOCATION OF NURSING LICENSE

TAMMY LAMBERT
3552 JOHNWOOD STREET
MEMPHIS, TN 38122
Respondent

DATE OF BIRTH: 02/14/1970

#### FINAL ORDER

THIS CAUSE came before a Hearing Panel comprised of three (3) members of this Honorable Board for a hearing on the 8<sup>TH</sup> day of December, 2005, in the hearing room at the office of the Mississippi Board of Nursing located at 1935 Lakeland Drive, Suite B, Jackson, Mississippi, 39216-5014 to determine whether it should impose disciplinary action against the nursing license and privilege to practice of the RESPONDENT, TAMMY LAMBERT, LICENSE NUMBER R-864850, pursuant to Section 73-15-29 of the Mississippi Code of 1972, as amended.

The hearing was held pursuant to Section 73-15-31 of the Mississippi Code of 1972, as amended, and pursuant to any and all other applicable Mississippi laws and regulations.

The Board has jurisdiction over the party and the subject matter.

The RESPONDENT, TAMMY LAMBERT, was not present at the Board hearing and was not represented by Counsel at such hearing. Having been properly noticed, having been

called and having failed to appear, the Board's Hearing Panel proceeded in the absence of TAMMY LAMBERT.

The Board's Hearing Panel consisted of Debra Allen, RN, Emily Pharr, LPN, and Cathy Williamson, RN, CNM. Rosemary Carabello, LPN, served as an alternate but did not participate in either the deliberations or the decision of the Hearing Panel.

The Board's Hearing Panel received and heard sworn testimony at the hearing. Based on the sworn testimony and the evidence admitted into the record at the hearing, the Hearing Panel of the Board of Nursing makes the following FINDINGS OF FACT and CONCLUSIONS OF LAW:

# **FINDINGS OF FACT**

- The Board's Hearing Panel finds that the RESPONDENT was properly noticed
  of the Complaint and the date and time of the hearing in accordance with statutory law.
- 2. The Board's Hearing Panel finds that the RESPONDENT was not present at the Board hearing and was not represented by an attorney at such hearing.
- 3. The Board's Hearing Panel finds that the RESPONDENT is guilty of CHARGE I in the Complaint based upon the sworn testimony and the evidence admitted into the record at the hearing.
- 4. The Board's Hearing Panel finds that on or about July 22, 2004, the RESPONDENT was disciplined by the Arizona State Board of Nursing, and her privilege to practice was revoked.
- 5. The Board's Hearing Panel finds that the RESPONDENT'S Tennessee multistate nursing license has been revoked effective June 17, 2005.

#### CONCLUSIONS OF LAW

- 1. That the Mississippi Board of Nursing has jurisdiction over the party and the subject matter.
- 2. The RESPONDENT'S conduct constitutes sufficient grounds for revocation of the RESPONDENT'S LICENSE NUMBER R-864850, and privilege to practice as a nurse in the State of Mississippi pursuant to Section 73-15-29 of the Mississippi Code of 1972, as amended.
- 3. By clear and convincing evidence, the RESPONDENT, TAMMY LAMBERT, LICENSE NUMBER R-864850, violated Section 73-15-29 (1)(d) of the Mississippi Code of 1972, as amended as set forth above.

Based upon the above FINDINGS OF FACT and CONCLUSIONS OF LAW, the Hearing Panel of the Board hereby ORDERS that the RESPONDENT, TAMMY LAMBERT, LICENSE NUMBER R-864850, shall be and is hereby found guilty of CHARGE I in the Complaint.

IT IS ORDERED BY THE HEARING PANEL OF THIS BOARD that the nursing license and privilege to practice of the RESPONDENT, TAMMY LAMBERT, LICENSE NUMBER R-864850, shall be and is hereby REVOKED as a result of the herein guilty finding.

Please be advised that you have a right to appeal the decision of the Board's Hearing Panel to the full membership of the Mississippi Board of Nursing in accordance with Section 73-15-31 of the Mississippi Code of 1972, as amended.

A copy of this Order shall be served upon the RESPONDENT, TAMMY LAMBERT, LICENSE NUMBER R-864850, by Certified Mail-Restricted Delivery, Return Receipt Requested.

SO ENTERED, THIS THE STORY DAY OF JANUARY, 2006.

MISSISSIPPI BOARD OF NURSING

BY:

DELIA Y. OWENS, J.D., R.N. EXECUTIVE DIRECTOR

(BOARD SEAL)